HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

TAKEN UP WRIT PETITION NO.1162 OF 2007

Dated:13.02.2007

Maykale Mallesh

…Petitioner

The Station House Officer, Tadepalligudem Rural Police Station, Tadepalligudem, West Godavari District and another.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
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ORDER: *(per Hon'ble Sri Justice P.Lakshmana Reddy)*

This writ petition is taken up on the basis of a fax message, dated 09.01.2007, sent by one Maykale Mallesh to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, wherein it is alleged that Malle Chinna Ramanamma, Maykale Jyothi and Bandi Kondamma were forcibly taken away by the Circle Inspector of Police, Tadepalligudem Taluq Police Station, on 08.01.2007 at about 12 noon and were detained illegally and were subjected to ill-treatment demanding Rs.2 lakhs.

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

The petitioner is the father-in-law of Maykale Jyothi and is a relation to the other two alleged detenues.

The first respondent herein-Sub-Inspector of Police, Tadepalligudem Rural Police Station, filed counter-affidavit stating that they have not arrested the alleged detenues on 08.01.2007 and that the allegations mentioned in the fax message dated 09.01.2007 are false and baseless. It is further stated that there is no Circle Inspector of Police in Tadepalligudem Rural Police Station as alleged in the Fax message; that on receipt of communication from the Office of the Advocate General, he caused enquiries in the matter and his enquiries revealed that the alleged detenues are moving freely and the Police attached to Tadepalligudem Rural Police Station never apprehended or illegally detained the alleged detenues at any point of time; and that the alleged detenue No.1-Malle Chinna Ramanamma, who is an accused in C.C.No.84 of 2001 in Crime No.8 of 2001 registered under Section 379 I.P.C. of Kothakota Police Station, appeared before the Additional Judicial First Class Magistrate, Chodavaram, on 31.01.2007 for trial and therefore, the allegation that she was illegally

detained is baseless. It is further stated that the alleged detenues 2 and 3 went to some other village and they were never detained and are moving freely.

In support of the counter-affidavit, the statements of the alleged detenues recorded by the Mandal Executive Magistrate have been filed. In those statements, all the alleged detenues have stated that they were never arrested and that they were not all taken into custody by the Police and that they are moving freely. Their statements are made part of this record.

In view of the said statements of the alleged detenues to the effect that they were never apprehended by the Police, we are of the opinion that no orders need be passed in this writ petition.

There are no merits in the writ petition and the same is, accordingly, closed, at the stage of admission.

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D.S.R.VARMA, J

13.02.2007
dr

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P.LAKSHMANA REDDY, J